



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Yutaka YAMAGATA et al.

Group Art Unit: 2855

Application No.: 10/566,355

Examiner: O. DAVIS

Filed: January 30, 2006

Docket No.: 126818

For: MECHANOCHEMICAL SENSOR

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Claims 1–15 are pending in this application. In reply to the September 17, 2008 Office Action, the period for response being extended by the attached Petition for Extension of Time, reconsideration of the rejections is respectfully requested in light of the following remarks.

The Office Action rejects claims 1, 2 and 4–15 under 35 U.S.C. §103(a) over U.S. Patent No. 6,935,165 (Bashir) in view of U.S. Patent No. 4,478,093 (Valadier). Applicants respectfully traverse the rejection.

First, the Examiner's analysis or utilization of the prior art is erroneous. Bashir is directed to a monitoring apparatus for detecting the viability of biological cells with a substrate that defines a microscopic chamber and microcantilevers extending from the substrate into the chamber (Bashir at Abstract). Although Bashir discloses using microcantilevers, deformation of the microcantilevers is detected by the detector 108 using either a piezoelectric element, an optical assembly or a resonant circuit with a frequency